



The Industrial Commission of Arizona  
Division of Occupational Safety and Health, Boiler Safety Section  
800 West Washington Street, Phoenix AZ 85007-2922  
(602) 542-1771 Fax (602) 542-1614

## VARIANCE APPLICATION FORM

Applicant's Name (Company): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Postal Code \_\_\_\_\_

Telephone # \_\_\_\_\_ Fax # Work \_\_\_\_\_ Email Address \_\_\_\_\_

Contact Person \_\_\_\_\_ Telephone # \_\_\_\_\_ Work Email Address \_\_\_\_\_

Address or Location of Proposed Variance (for more than one location, attach list)

Type of Facility: \_\_\_\_\_

1. Variance description including Type and Justification (See side 2; attach additional information to this form).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Component or System involved (attach supporting documents as applicable).

\_\_\_\_\_  
\_\_\_\_\_

3. Identify the Statute, Rule, Code or Standard requirement for which the variance is requested.

\_\_\_\_\_  
\_\_\_\_\_

" Where a variance is granted, its successors, heirs and assigns accepts full responsibility for any and all damages whatsoever and for injury to any person that may arise as a result of the variance or non-conformity for the conditions specified for the variance, to the complete exclusion of the Arizona Division of Occupational Safety and Health-Boiler Safety Section and agrees to hold harmless and indemnify the Arizona Division of Occupational Safety and Health-Boiler Safety Section for any action or claim including third-party claims and attendants cost."

Print Name and Title of Applicant \_\_\_\_\_ Signature of Signing Officer \_\_\_\_\_ Date \_\_\_\_\_

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**Office Use Only**

Chief Boiler Inspector's Signature \_\_\_\_\_ ☐ Recommended ☐ Not Recommended \_\_\_\_\_ Date \_\_\_\_\_

Director's Signature \_\_\_\_\_ ☐ Approved ☐ Not Approved \_\_\_\_\_ Date \_\_\_\_\_

## Application for a Variance

### Instructions

In accordance with The Arizona Boiler Safety Rule R20-5-429:

- A. Any owner or user may apply to the Director for a variance from the requirements of this Article, upon demonstrating the construction, installation, and operation of the boiler or pressure vessel will maintain the same level of safety as prescribed by this Chapter. The Director shall issue a variance if the Director determines that the proponent of the variance has demonstrated the construction, installation, and operation of the boiler or pressure vessel will maintain the same level of safety as prescribed by this Chapter. The variance issued shall prescribe the construction, installation, operation, maintenance, and repair conditions that the owner or user shall maintain.
- B. A variance may be modified or revoked upon application by an owner, user or the Director, on the Director's own motion at any time after six months from issuance if the owner or user has not complied with the variance or if the variance does not protect the health and safety of employees or general public.

To avoid delays, please provide the following to the Director along with this completed variance application form:

#### 1. Variance Description, Type and Justification

- Description of the variance requested including the circumstances and reasons which require the variance.

#### Variance Types

- a) Permanent (variance remains valid until it is rescinded)
- b) Temporary (variance expires after the requested period is passed)

For temporary variance application, include period of time requested and steps to be taken during period.

#### Variance Justification (attach additional information to this form)

- Assessment of every safety risk associated with the variance based on safety engineering principles and recognized industry standards;
- Description of the measures that are proposed to make the installation equivalent in safety to the level of safety intended by the requirements in the regulation, standard, or code;
- A qualified individual, (e.g. P. Eng.) knowledgeable in the design or operation of the installation must sign the technical documents.

#### 2. Description of Component and System involved

- Provide detailed information about the object, process or activity involved. Attach supporting documents as applicable.

#### 3. Identify the Statute, Regulation, Code or Standard requirement from which the variance is requested.

- List all sections of the Statutes and Regulations that apply to the variance requested.

#### **Note: An officer of the vessel owner's company must sign the application form.**

An application for a variance can only be considered by the Boiler Safety Section after receipt of all relevant information. Please note that permission in writing must be received by the applicant from the Director or his delegate, prior to implementing the variance.